THE HON'BLE SRI JUSTICE SANJAY KUMAR

COMPANY APPLICATION No.294 of 2010
in
COMPANY APPLICATION No.1682 of 2007
in
COMPANY PETITION No.167 of 2001

ORDER:

This application is filed under Section 454 (5) & (5A) of the Companies Act, 1956 (for short 'the Act') read with Rule 20 of the Criminal Rules of Practice and Rule 9 of the Companies (Court) Rule, 1959 to split up the complaint against accused Nos.1, 2, 4, 5, 6, 7 and 8 and to impose punishment on them in accordance with the provisions of the Act.

Sri M.Anil Kumar, learned counsel for the Official Liquidator, states that accused Nos.1 and 2 are dead and therefore, the proceedings initiated against them under Section 454 of the Act would abate. Accused No.4, despite the best efforts of this Court and the Police, has remained elusive and is unserved till date despite a non-bailable warrant having been issued against him. Accused Nos.5 to 8 are said to have presented themselves before this Court in Comp.A.No.1682 of 2007 filed under Section 454 (5) and (5A) of the Act.

The present application to spilt up the complaint insofar as accused No.4 is concerned is accordingly ordered.

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(SANJAY KUMAR, J)

12th December, 2012
GHN